

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 22-1056****September Term, 2022****EPA-87FR72989****EPA-HQ-OLEM-2021-0587-0023****EPA-HQ-OLEM-2021-0590-0002****EPA-HQ-OLEM-2021-0593-0002****EPA-HQ-OLEM-2021-0595-0002****Filed On: June 7, 2023**

Electric Energy, Inc., et al.,

Petitioners

v.

Environmental Protection Agency and  
Michael S. Regan, Administrator, United  
States Environmental Protection Agency,

Respondents

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State of Texas, et al.,

Intervenors

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Consolidated with 22-1058

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**No. 23-1035****EPA-87FR72989**

Electric Energy, Inc., et al.,

Petitioners

v.

Environmental Protection Agency and  
Michael S. Regan, Administrator, United  
States Environmental Protection Agency,

Respondents

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Sierra Club,

Intervenor

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Consolidated with 23-1036, 23-1037, 23-1038

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**BEFORE:** Henderson, Walker, and Garcia, Circuit Judges

**ORDER**

Upon consideration of the motion to hold in abeyance No. 23-1035, et al., the response thereto, and the replies; and the motion to consolidate No. 22-1056, et al., and No. 23-1035, et al., the responses thereto, and the reply, it is

**ORDERED** that the motions be denied. The Clerk is directed to schedule No. 22-1056, et al., and No. 23-1035, et al., for oral argument on the same day before the same panel. It is

**FURTHER ORDERED**, on the court's own motion, that the parties submit, within 30 days of the date of this order, a proposed format and schedule for the briefing of No. 23-1035, et al. The parties are strongly urged to submit a joint proposal and are reminded that the court looks with extreme disfavor on repetitious submissions and will, where appropriate, require a joint brief of aligned parties with total words not to exceed the standard allotment of a single brief. Whether the parties are aligned or have disparate interests, they must provide *detailed* justifications for any request to file separate briefs or to exceed in the aggregate the standard word allotment. Requests to exceed the standard word allotment must specify the word allotment necessary for each issue. It is

**FURTHER ORDERED**, on the court's own motion, that the parties submit, within 30 days of the date of this order, a proposed schedule for the remainder of briefing in No. 22-1056, et al.

**Per Curiam**

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/

Tatiana Magruder  
Deputy Clerk